

TWENTIETH DAY

(Tuesday, February 18, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

(Senator Herring in the Chair.)

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 20, A bill to be entitled "An Act providing that the State of Texas, any department, board, agency or instrumentality of the State of Texas, any municipal corporation, any

political subdivision, any district and any body politic and corporate of the State of Texas which is now or may hereafter be authorized by law to issue and sell bonds, notes, or other obligations payable from taxes, or revenues, or both, may issue and sell such bonds, notes, or other obligations at any price or prices and bearing interest at any rate or rates, provided that the net effective interest rate, as herein defined, shall not exceed six and one-half per cent per annum; making certain qualifications and exceptions; enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 67, A bill to be entitled "An Act relating to the apportionment and number of trustees of certain junior college districts; amending Section 3, and repealing Subsection (2), Section 2, of Chapter 3, Acts of the 59th Legislature, Regular Session, 1965 (Article 2815n-1, Vernon's Texas Civil Statutes); and declaring an emergency."

H. C. R. No. 23, Commending the Hardin-Simmons University Cowboy Band.

H. C. R. No. 26, Congratulating the Henderson Lions Football Team.

H. C. R. No. 27, In memory of Mrs. Ruth Lester.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Moore submitted the following reports:

Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 11, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State

Affairs, to which was referred S. B. No. 12, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 93, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 39, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
February 17, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 115, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

MOORE, Chairman.

C. S. S. B. No. 115 was read the first time.

Senator Brooks submitted the following reports:

Austin, Texas,
February 13, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions to which was referred S. B. No. 187, have had the same under considera-

tion, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman.

Austin, Texas,
February 13, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions to which was referred S. B. No. 159, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BROOKS, Chairman.

Senator Hall submitted the following reports:

Austin, Texas,
February 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Counties, Districts and Urban Affairs to which was referred S. B. No. 57, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

WORD
CONNALLY

Austin, Texas,
February 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Counties, Districts and Urban Affairs to which was referred S. B. No. 188, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

WORD
CONNALLY

Senate Bill 203 on First Reading

The following bill was introduced, read first time and referred to the Committee indicated:

By Senator Wilson:

S. B. No. 203, A bill to be entitled "An Act relating to the determina-

tion and distribution of common law trust income; and declaring an emergency."

To the Committee on Banking.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Christie:

S. B. No. 216, A bill to be entitled "An Act relating to the establishment of a medical branch of The University of Texas, to be known as The University of Texas Medical School at El Paso; and declaring an emergency."

To the Committee on State Affairs.

By Senator Blanchard:

S. B. No. 217, A bill to be entitled "An Act relating to the filling of vacancies occurring in the number of trustees originally appointed under a valid trust agreement; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Herring and Wilson:

S. B. No. 218, A bill to be entitled "An Act relating to the legitimacy and legitimation of children; making available the rights and privileges of legitimacy to a legitimated child; providing for procedures for establishing the paternity of a child born out of wedlock; creating a civil cause of action for paternity; providing for the liability of the parents of such child for its support and maintenance; amending Article 5524, Vernon's Texas Civil Statutes; providing a penalty for false accusation or statement regarding paternity; providing for the correction of birth certificates; fixing an effective date; providing a repealing clause, a savings clause, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 219, A bill to be entitled "An Act amending Senate Bill No. 36, Page 544, General Laws of the State of Texas, Acts of the Forty-sixth Legislature, Regular Session, 1939, as amended by House Bill No. 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, Forty-seventh Legislature, Regular Session, 1941, as amended, which is codified as Article 695c, Vernon's Tex-

as Civil Statutes; authorizing the State Department of Public Welfare to extend by rule and regulation the full range of programs and scope of services provided for under the Federal laws as they now read or as they may hereafter be amended and any rules or regulations promulgated pursuant thereto; authorizing the Department to enter into agreements to implement these programs and services; authorizing the Department to accept funds from public and private sources, expend and/or transfer such funds; deleting the specific divisions within the Department and authorizing the Commissioner to create such divisions as are appropriate; amending the residence requirements for applicants for Aid to the Blind, Aid to the Permanently and Totally Disabled, Aid to Families with Dependent Children and Old Age Assistance; fixing an effective date; providing a repealing clause, a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 220, A bill to be entitled "An Act making an emergency appropriation pursuant to the provisions of Article 7, Section 17, of the State Constitution, to Southwest Texas State College, to replace property lost by fire; and declaring an emergency."

To the Committee on Finance.

By Senator Wilson:

S. B. No. 221, A bill to be entitled "An Act permitting State banks to invest in shares of stock or savings accounts of building and loan associations, to organize wholly owned subsidiary corporations and invest in their stock, and to lend on the security of building and loan shares or savings accounts; amending Article 5, Sub-chapter V, Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, as amended (Article 342-505, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Banking.

By Senator Kennard:

S. B. No. 222, A bill to be entitled "An Act amending Section 2.02 of Chapter Two, Section 4.02 of Chapter Four and Section 6.15 of Chapter Six, Chapter 113, Acts of 58th Legislature, 1963; amending Chapter Six of Chapter 113, Acts of 58th Legislature,

1963, by adding thereto a new Section 6.19; and declaring an emergency."

To the Committee on Banking.

By Senator Kennard:

S. B. No. 223, A bill to be entitled "An Act amending Article 6674-v, Vernon's Revised Civil Statutes of Texas, Chapter 410, page 967, Acts 1953, 53rd Legislature, Regular Session, by adding a new section thereto authorizing the expenditure by the Texas Turnpike Authority subject to prior approval of the Texas Highway Commission of funds available to it under any Trust Agreement securing the Turnpike Revenue Bonds of any project for the purpose of studying the feasibility of other Turnpike Projects, and preparing for the sale of Turnpike Revenue Bonds therefor, and further providing for the borrowing of money for such purposes by Texas Turnpike Authority payable out of revenues of any Turnpike Project as may be permitted by any Trust Agreement securing the Revenue Bonds of any Turnpike Project; enacting other provisions related to said subject; providing for precedence of this Act over other conflicting laws; and declaring an emergency."

To the Committee on State Affairs.

By Senators Mauzy and Kennard:

S. B. No. 224, A bill to be entitled "An Act authorizing publication of legal notices by means of radio or television broadcast; repealing conflicting laws; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Cole, Jordan, Schwartz and Brooks:

S. B. No. 225, A bill to be entitled "An Act creating, under Article XVI, Section 59, of the Texas Constitution, the Gulf Coast Waste Disposal Authority, for the purpose of preventing water pollution in Chambers, Galveston, and Harris counties, by providing on a regional basis means for disposal of wastes and for the regulation of waste disposal; prescribing the organization, powers, and duties of the Authority; conferring power upon the Authority to issue bonds payable from revenues, taxes, or a combination thereof, and power to levy taxes for the purposes of the Authority; prescribing relationships between the Authority and other agencies; pre-

scribing penalties; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Harrington:

S. B. No. 226, A bill to be entitled "An Act authorizing the commissioners court in certain counties to furnish each county commissioner an automobile for use in official business; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Harrington:

S. B. No. 227, A bill to be entitled "An Act relating to the establishment of the Orange County Juvenile Board and the Juvenile Probation Department; providing for the powers and duties of the board and the department; providing for the financing of the board from county funds and of the department from certain court costs, certain fees, and county funds; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator McKool:

S. B. No. 228, A bill to be entitled "An Act relating to the information required on a voter registration certificate and the form of an application for voter registration; amending Section 47a, Texas Election Code, as added (Article 5.15a, Vernon's Texas Election Code), and adding Section 47b; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator McKool:

S. B. No. 229, A bill to be entitled "An Act relating to regulating the sale, use, and transportation of herbicides; amending Section 2(f) of Chapter 349, Acts of the 53rd Legislature, Regular Session, 1953 (Article 135b-4, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senators Brooks, Aikin, Mauzy, McKool, Hall, Bates, Bernal, Jordan, Cole, Bridges, Herring, Christie, Snelson, Patman, Hightower, Watson, Strong, Harrington, Grover, Kennard, Wilson, Ratliff, Berry, Harris, Schwartz, Word, Creighton, Hazlewood, Moore, Connally and Blanchard:

S. B. No. 230, A bill to be entitled "An Act to amend subsection (4)a of Section 1 of Article III, Senate Bill 116, Chapter 334, Acts of 51st Legislature, Regular Session, 1949, as amended in Chapter 447, Acts of 59th Legislature, Regular Session, 1965 (codified Article 2922-13, Section 1, subsection (4)a in V.T.C.S.) to provide for a comprehensive Special Education for Exceptional Children between three and 21 years of age inclusive, as defined herein; providing for State financing thereof from the Foundation School Program Fund; authorizing the State Board of Education and/or the State Commissioner of Education to establish regulations and formulae for implementation of certain provisions; providing an effective date for this Act; repealing subsection (4)c of Section 1 of Article III, Chapter 334, Acts 51st Legislature, Regular Session, 1949, as amended (codified Article 2922-13, Section 1, subsec. (4)c in V.T.C.S.); repealing subsection (4A) of Section 1 in Article III, Chapter 334, Acts 51st Legislature, Regular Session, as added by Senate Bill 190, Chapter 444, Acts of 59th Legislature, Regular Session, 1965 (codified as Article 2922-13, Section 1(4A) in V.T.C.S.); and declaring an emergency."

To the Committee on Education.

By Senator Schwartz:

S. B. No. 231, A bill to be entitled "An Act authorizing certain cities to establish, acquire, lease as lessor or lessee, purchase, construct, improve, enlarge, equip, repair, operate and maintain permanent public improvements, to-wit: structures, parking areas or facilities for off-street parking or storage of motor vehicles or other conveyances; providing that such cities may lease such improvements on such terms and conditions as said cities shall deem appropriate; authorizing such cities to issue negotiable revenue bonds to provide funds for establishing, acquiring, leasing, purchasing, constructing, improving, enlarging, equipping and repairing such improvements and containing provisions relating to such bonds and the revenues pledged in payment thereof; authorizing the issuance of revenue refunding bonds and containing provisions relating to said bonds and the revenues pledged in payment thereof; providing that this Act is cumulative of existing laws but providing that this Act shall

take precedence over inconsistent or conflicting laws and over all city charter provisions; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Schwartz:

S. B. No. 232, A bill to be entitled "An Act relating to the filling of vacancies on the Board of Directors of the Galveston County Water Authority; providing for appointment of three Board members by the Galveston City Council; amending Section 5, Chapter 712, Acts of the 59th Legislature, Regular Session, 1965, (Article 8280-339, Revised Civil Statutes of Texas); and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Schwartz:

S. B. No. 233, A bill to be entitled "An Act relating to the authorization of policemen of a city, town, or village to perform duties in another city, town, or village, upon request, in an emergency, and to their authority and rights; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators Schwartz and Jordan:

S. B. No. 234, A bill to be entitled "An Act amending Article 19, Penal Code of Texas, 1925, and defining the terms "whoever," "person," "any person," and "anyone," the pronouns "he," "it," and "they," referring to these terms, and similar words and phrases, to include private corporations with respect to pollution of air and water; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Schwartz and Jordan:

S. B. No. 235, A bill to be entitled "An Act providing for the issuing, service, and return of process in all courts upon corporations charged by indictment, information, or complaint with the commission of a criminal offense; providing for the appearance of the corporation, or upon failure of the corporation to appear, that a plea of not guilty shall be entered and the corporation shall be deemed con-

tinuously present in said court after the plea of not guilty is entered, or appearance made, until final disposition is made of the case; further providing that if a corporation shall be found guilty and a fine imposed, then a judgment shall be entered having the same force and effect and shall be enforced against such corporation in the same manner as if the judgment were recovered in a civil action; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Creighton and Kenard:

S. B. No. 236, A bill to be entitled "An Act relating to the election of school trustees for the Fort Worth Independent School District by repealing Section 8 of Chapter 230 of the Local and Special Laws of the 39th Legislature embodied in an Act passed in the regular session thereof and approved March 16, 1925, and effective on March 16, 1925, and by repealing Chapter 29 of the Local and Special Laws of the 60th Legislature as embodied in an Act passed in the regular session thereof and approved March 28, 1967, and effective on August 28, 1967, and substituting in lieu thereof the following: The Board of Education shall order elections to be held on the following dates for the purpose of electing trustees for the Fort Worth Independent School District: On the first Saturday in April, 1971, there shall be an election for the purpose of electing three trustees to fill Places 5, 6 and 7, whose term of office shall have expired, and the three trustees to be elected on said date shall serve for a term of five years or until their successors shall have been duly elected and qualified; on the first Saturday in April, 1974, there shall be an election for the purpose of electing four trustees, whose term of office shall have expired, and of the four trustees to be elected on said date, two trustees, who shall fill Places 1 and 2, shall serve for a term of four years, and two trustees, who shall fill Places 3 and 4, shall serve for a term of 6 years, or until their successors shall have been duly elected and qualified; on the first Saturday in April, 1976, three trustees shall be elected to fill Places 5, 6 and 7. On the first Saturday in April, 1978, two trustees shall be elected to fill Places

1 and 2, and on the first Saturday in April, 1980, two trustees shall be elected to fill Places 3 and 4. All trustees elected in 1976 and thereafter shall serve for a term of 6 years or until their successors shall have been duly elected and qualified; providing that the Board of Education shall order such election, cause such order to be published in a newspaper at least 10 days previous to the election, naming the date within which candidates must file, appointing persons to hold the election and the date and places where the polls shall be opened and further providing that all elections shall be held, on the first Saturday in April, in accordance with the state law governing elections except as modified by the provisions of the Act creating the Fort Worth Independent School District and amendments thereto and providing that the returns of the election shall be canvassed by the Board of Education and that no person shall be elected until he has complied with all applicable laws and received a majority of the votes cast in said election in the Place in which he is a candidate and in the event no candidate receives a majority of the votes in the Place in which he is a candidate in the April election a run-off election shall be held on the third Saturday in April succeeding the first election and only the names of the two candidates who received the highest number of votes in the first April election shall be placed on the official ballots as candidates for such office at such run-off election and providing that the Board shall canvass the returns of the run-off election, declare the results thereof and issue a certificate of election to the candidate receiving a majority of the votes shown by the returns of the election; and declaring an emergency."

To the Committee on Education.

(President in Chair.)

Report of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
February 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Counties, Districts and Urban Affairs to

which was referred S. B. No. 232, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CONNALLY

Senate Concurrent Resolution 19

Senator Blanchard offered the following resolution:

S. C. R. No. 19, Congratulating Miss Barbara Specht on her election as National Centennial Football Queen and inviting her to appear before both Houses of the Legislature.

Whereas, Miss Barbara Specht, a sophomore student at Texas Technological College in Lubbock, has been elected the National Centennial Football Queen and will reign over the nationwide celebration of intercollegiate football's one-hundredth anniversary in 1969; and

Whereas, Miss Specht, a native of New Braunfels, Texas, was elected by balloting from all 50 states of these United States and was chosen by the electorates from a field of 13 nominees across the nation; and

Whereas, She will be appearing as a goodwill ambassadress during 1969 not only for college football but also for the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we extend our congratulations to Miss Specht and invite her to appear before both Houses of the Legislature that each Member may offer her our best wishes.

BLANCHARD
WORD

The resolution was read.

On motion of Senator Blanchard, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 166

Senator Word offered the following resolution:

Whereas, The youthful offender has become a problem of the highest magnitude in Texas as well as in the nation; and

Whereas, The Texas Youth Council is directly concerned with the task of assisting this segment of our youth; and

Whereas, The critical nature of the problem deserves our fullest attention and properly warrants a thorough assessment of the effectiveness of the policies, procedures, programs and other pertinent aspects of the operation of the Texas Youth Council and the various local rehabilitation programs; and

Whereas, The entire problem stems from and is inextricably bound up in those significant causative factors which give rise to the need for rehabilitative assistance; and

Whereas, The Senate Youth Affairs Committee is charged with the responsibility of investigating and analyzing these problems for the purpose of developing, for the youth of our State, a responsive and meaningful rehabilitation program; and

Whereas, The complexity of the problem is such that competent, professional and technical assistance is essential to the proper performance of the task and that an advisory committee could provide this assistance; now, therefore, be it

Resolved, That the Lieutenant Governor shall appoint nine private citizens who have demonstrated an interest in and a particular knowledge of youth affairs; and be it further

Resolved, That, from the contingent expense funds of the Senate, the members of the Citizens Advisory Committee, the Senate Youth Affairs Committee and staff be reimbursed for the actual expenses incurred in carrying out the purposes of this Resolution.

WORD
COLE

The resolution was read and was adopted.

House Concurrent Resolution 23 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 23, Commending the Hardin-Simmons University Band.

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Pat-

man, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Ratliff, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Ratliff, and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 6 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 6, Commending the Honorable Lyndon Baines Johnson and inviting him to address a Joint Session of the Texas Legislature at his convenience.

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Strong and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 26 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 26, Congratulating the Henderson Lions football team.

The resolution was read.

On motion of Senator Strong and by unanimous consent the resolution was considered immediately and was adopted.

Message From the Governor

The following message received

from the Governor was read and was filed with the Secretary of the Senate:

February 18, 1969.

To the Members of the 61st Legislature, Regular Session.

Pursuant to the provisions of Section 5 of Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

An appropriation out of the general revenue fund to Southwest Texas State College for the replacement of building, equipment and supplies and for repair of damage to adjacent buildings resulting from fire on January 27, 1969.

The above recommendations for emergency appropriations are made pursuant to the provisions of Article VII, Section 17 of the Constitution of the State of Texas.

Respectfully submitted,

PRESTON SMITH,

Governor.

Senate Bill 57 Ordered Not Printed

On motion of Senator Patman and by unanimous consent S. B. No. 57 was ordered not printed.

Senate Bill 93 Ordered Not Printed

Senator Hazlewood asked unanimous consent that S. B. No. 93 be not printed.

There was objection.

Senator Hazlewood then moved that S. B. No. 93 be not printed.

The motion prevailed by the following vote:

Yeas—20

Aikin	Hightower
Bates	Jordan
Bernal	Mauzy
Berry	Patman
Blanchard	Ratliff
Bridges	Schwartz
Cole	Snelson
Creighton	Watson
Harrington	Wilson
Hazlewood	Word

Nays—9

Brooks	Connally
Christie	Grover

Harris
Herring
McKool

Moore
Strong

Absent

Hall

Absent—Excused

Kennard

Senate Resolution 165

Senator Harrington offered the following resolution:

Whereas, Large numbers of oil and gas pipelines are laid along and across the islands, saltwater lakes, bays, inlets, marshes, and reefs owned by the State of Texas, and across that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, and along and across the freshwater rivers, streams, and lakes of the State of Texas; and

Whereas, The locations of these pipelines are not marked with any type of buoys or other warning devices, and neither local officers nor the general public know where they are located; and

Whereas, These pipelines are potential menaces to navigation in that the anchors of ships and boats may become caught on them; and the pipelines may leak and cause pollution of the public waters, as well as create an immense hazard to public safety through the threat of combustion; and

Whereas, For all of these reasons the laying of pipelines in these areas needs to be regulated in the interest of the public health and safety, and a thorough study needs to be made to determine the most effective manner of regulation; now, therefore, be it

Resolved by the Senate of the State of Texas, That:

Section 1. The Lieutenant Governor shall appoint an Oil and Pipeline Study Committee composed of five Members of the Senate. The Lieutenant Governor shall designate the chairman of the committee.

Sec. 2. The committee shall hold meetings and public hearings at the call of the chairman.

Sec. 3. The committee shall conduct a thorough study and investigation of the practice of laying oil and gas pipelines along and across the islands, saltwater lakes, bays, inlets, marshes, and reefs owned by the State of Texas, and across that portion of the Gulf

of Mexico within the jurisdiction of this State, and along and across the freshwater rivers, streams, and lakes of this State, and the effects of these pipelines on navigation and on the health and safety of the people of Texas. The committee shall particularly study the need for regulating these pipelines as to the marking of their locations, the establishment of corridors for laying the lines, the laying of the lines below the surface of the bed or bottom, the specifications for the pipe, and all other features which might be deemed necessary in order to protect the public health and safety and to promote safe navigation.

Sec. 4. In the conduct of the investigation, the committee may require, by use of subpoenas addressed to any sheriff or the Texas Department of Public Safety, the attendance and testimony of all witnesses, relating directly or indirectly to any matter which the committee has authority to investigate under this Resolution, and for this purpose the chairman may administer oaths and receive evidence, instruments, documents, analytical data, charts, and maps. Witnesses attending proceedings of the committee under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State. The testimony given at any hearing conducted pursuant to this Resolution shall be reduced to writing and shall be given under oath subject to the penalties of perjury.

Sec. 5. All agencies of the State of Texas, all river authorities and districts, port authorities, and other subdivisions of government as may be deemed necessary by the committee, are hereby authorized and directed to cooperate fully and completely with the committee in making its study and investigation and in preparation of any reports.

Sec. 6. From the contingent expenses fund of the Senate, the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution, and other necessary expenses of operation of the committee shall be paid from the contingent expenses fund of the Senate. The committee shall prepare a budget for the operating expense of the committee which shall be submitted to the Contingent Expenses Committee of the Senate. The prior approval of such budget by the Contingent Expenses

Committee shall be obtained before any payments may be made from such contingent fund. Prior approval by the Contingent Expenses Committee must be obtained before any non-budgeted expenses may be paid.

Sec. 7. The committee shall report its findings and recommendations to the Senate on the convening of the Regular Session of the 62nd Legislature.

The resolution was read and was referred to the Committee on Interstate Cooperation.

**Committee Substitute
Senate Bill 64 On Second Reading**

The President laid before the Senate as Unfinished Business on its second reading and passage to engrossment C. S. S. B. No. 64 (the bill having been read second time on Monday, February 17, 1969).

On motion of Senator Aikin, and by unanimous consent, Senator Jordan offered the following amendment to the bill:

Amend Committee Substitute to S. B. 64 by striking the last sentence beginning on line 25 and ending on line 27 and substituting in lieu thereof the following:

"The Board shall promulgate procedural rules and regulations not inconsistent with this law to govern such pre-hearing conferences and provided further such rules and regulations shall not affect nor change any substantive portion of this law."

JORDAN
AIKIN

The amendment was read and was adopted.

On motion of Senator Jordan, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Committee Substitute
Senate Bill 64 on Third Reading**

Senator Jordan moved that Senate Rule 30 and the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

Senate Bill 35 on Second Reading

Senator Moore moved that Senate Rules 110, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 35 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bates
-------	-------

Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Kennard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 35, A bill to be entitled "An Act relating to the establishment and operation of schools at the various units of the Department of Corrections; and declaring an emergency."

The bill was read second time and passed to engrossment.

(Senator Mauzy in the Chair.)

Senate Bill 35 on Third Reading

Senator Moore moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

Senate Bill 32 on Second Reading

Senator Moore moved that Senate Rules 110, 13, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 32 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 32, A bill to be entitled "An Act closing a certain public road"

on State-owned land held for the use of the Texas Department of Corrections; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 32 on Third Reading

Senator Moore moved that Senate Rule 30 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

(President in Chair.)

Senate Bill 133 on Second Reading

Senator Hall moved that Senate Rules 110, 13, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 133 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hazlewood
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Ratliff
Christie	Snelson
Cole	Strong
Connally	Watson
Creighton	Wilson
Hall	Word
Harrington	

Nays—5

Grover	Moore
Harris	Schwartz
Herring	

Absent—Excused

Kennard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 133, A bill to be entitled "An Act transferring control and management of East Texas State University from the Board of Regents, State Senior Colleges to a new body to be called the Board of Regents of East Texas State University; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Herring, Moore and Harris asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 133 on Third Reading

Senator Hall moved that Senate Rule 30 and the constitutional rule requiring bills to be read on three several days be suspended and that

S. B. No. 133 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Harrington
Bates	Hazlewood
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Cole	Snelson
Connally	Strong
Creighton	Watson
Grover	Wilson
Hall	Word

Nays—4

Harris	Moore
Herring	Schwartz

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 133 by striking all below the enacting clause and substituting the following:

"Section 1. The purpose of this Act is to provide that East Texas State University and West Texas State University shall each be conducted, operated and maintained under the general direction and supervision of new and separate Boards of Regents as herein provided.

Sec. 2. The organization, control and management of East Texas State University shall be vested in a Board of Regents of East Texas State University, and the organization, control and management of West Texas State University shall be vested in a Board of Regents of West Texas State University. Each of the Boards shall be composed of nine (9) members who shall be appointed by the Governor of Texas and confirmed by the Senate. Not more than two (2) members of each Board of Regents shall be appointed from or be a resident of any

one (1) State Senatorial District, and no member of each board may be appointed from or be a resident of the county in which each university is located. Three (3) members of the first Board of Regents of East Texas State University and three (3) members of the first Board of Regents of West Texas State University appointed under this Act shall be designated by the Governor to serve for two (2) years, three (3) for four (4) years, and three (3) for six (6) years, and the members appointed thereafter shall serve for six (6) years. The members of each of the Boards shall be removable by the Governor for inefficiency or malfeasance of office. Any vacancy that may occur on each Board shall be filled for the unexpired term by appointment by the Governor. Each member of each Board shall be required to take the Constitutional oath of office before entering upon the duties of his office. The first meeting of each Board shall be held at a time and place designated by the Governor. At this meeting each Board shall organize by electing a chairman, and such other officers as it may deem necessary. Thereafter, the chairman of each Board shall convene the Board of Regents to consider any business connected with each university whenever he deems it expedient.

Sec. 3. On the effective date of this Act, the management and control of the East Texas State University as now vested in the Board of Regents, State Senior Colleges, shall be withdrawn from this Board, and shall be vested in the newly created Board of Regents of East Texas State University, as provided herein. All powers, duties, rights, properties obligations and functions of the Board of Regents, State Senior Colleges, as these relate to East Texas State University, shall be vested in and/or performed by the Board of Regents of East Texas State University to be executed and administered by said Board under the provisions of this Act and the laws of Texas.

Sec. 4. On the effective date of this Act, the management and control of the West Texas State University as now vested in the Board of Regents, State Senior Colleges, shall be withdrawn from this Board, and shall be vested in the newly created Board of Regents of West Texas State University, as provided herein. All powers,

duties, rights, properties, obligations and functions of the Board of Regents, State Senior Colleges, as these relate to West Texas State University, shall be vested in and/or performed by the Board of Regents of West Texas State University to be executed and administered by said Board under the provisions of this Act and laws of Texas.

Sec. 5. The Board of Regents of East Texas State University, and/or the Board of Regents of West Texas State University, may accept donations, gifts, grants and endowments for each of such University, to be held in trust and administered by each such Board for the purposes and under the directions, limitations and provisions as may be declared in writing in the donation, gift, grant or endowment, not inconsistent with the laws of the State of Texas or with the objectives and proper management of each such University.

Sec. 6. The Board of Regents of East Texas State University, and/or the Board of Regents of West Texas State University, may lease any part of its property(ies) to any person(s), partnership(s), special partnership(s) and any other business association(s) and institution(s), including governmental entities, for the purpose of permitting each of such Universities to develop its resources to the greatest extent feasible while realizing a maximum economic benefit thereby.

Sec. 7. Wherever any reference to the Board of Regents of the State Teachers' Colleges, insofar as the East Texas State Teachers' College, or West Texas State Teachers' College or the West Texas State College, is concerned, appears in the Revised Civil Statutes of Texas, 1925, or in any amendment thereto, or in any Acts heretofore enacted, including the provisions, and all support and benefits provided said colleges within the provisions of Article VII, Section 17, of the Constitution of the State of Texas, such reference shall on the effective date of this Act, and thereafter, mean and apply to the Board of Regents of East Texas State University and/or to the Board of Regents of West Texas State University, as the case may be, it being the legislative intent that all powers granted to the Board of Regents, State Senior Colleges, insofar as the East Texas State University and/or the West Texas State University is concerned, shall be

transferred to the Board of Regents of East Texas State University, and/or to the Board of Regents of West Texas State University, as the case may be.

Sec. 8. The scope of work and activities of East Texas State University and West Texas State University shall be the same as are now being carried on by the existing East Texas State University and/or West Texas State University, and for which they are authorized, said work and activities to be increased or diminished, altered or changed in any manner deemed by the new Governing Boards to be conducive to the betterment of the services offered, or which may be offered, by such institutions to the people of Texas.

Sec. 9. The Board of Regents of East Texas State University, and/or the Board of Regents of West Texas State University, shall have the authority to award degrees, including the baccalaureate, master's and doctoral degrees, and their equivalents, but no department, school or degree program shall be instituted except with prior approval of the Coordinating Board, Texas College and University System.

Sec. 10. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 11. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read.

Senator Herring raised the Point of Order that the amendment was not germane to the caption of the bill under consideration.

The President over-ruled the Point of Order.

The amendment was adopted by the following vote:

Yeas—24

Aikin

Bates

Bernal	Hazlewood
Berry	Hightower
Blanchard	Jordan
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Cole	Ratliff
Connally	Snelson
Creighton	Watson
Hall	Wilson
Harrington	Word

Nays—6

Grover	Moore
Harris	Schwartz
Herring	Strong

Absent—Excused

Kennard

On motion of Senator Hall, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then passed by the following vote:

Yeas—23

Aikin	Hazlewood
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Cole	Snelson
Connally	Watson
Creighton	Wilson
Hall	Word
Harrington	

Nays—7

Blanchard	Moore
Grover	Schwartz
Harris	Strong
Herring	

Absent—Excused

Kennard

Senate Bill 57 on Second Reading

Senator Patman moved that Senate Rules 110, 13, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 57 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Nays—1

Berry

Absent—Excused

Kennard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 57, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter of the 36th Judicial District of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 57 on Third Reading

Senator Patman moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Nays—1

Berry

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Nays—1

Berry

Absent—Excused

Kennard

Senate Bill 118 on Second Reading

Senator Aikin moved that Senate Rules 110, 13, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 118 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 118, A bill to be entitled "An Act amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Section 24 to exempt from taxation property of organizations devoted wholly to the promotion and encouragement of, or the dissemination of, information concerning the development, propagation, growing, or arrangement of flowers or decorative shrubs, plants, or trees, provided the property is owned and used for such purposes only, is not in whole or in part leased out to others and is not in any manner operated with a view to profit; and declaring an emergency."

The bill was read second time.

Senator Strong offered the following amendment to the bill:

Amend S. B. 118 by deleting the last five words from 24, which read "with a view to profit" and inserting in lieu thereof the following: "at a profit or licenses any individual or entity which operates a business upon said premises at a profit."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 118 on Third Reading

Senator Aikin moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 118 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Hazlewood
Christie	Herring
Cole	Hightower

Jordan	Schwartz
Mauzy	Snelson
McKool	Strong
Moore	Watson
Patman	Wilson
Ratliff	Word

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

Local and Uncontested Bills Committee

The President announced the appointment of the following as the Local and Uncontested Bills Committee pursuant to the provisions of S. R. No. 89:

Senators Hall, Chairman; Strong, Blanchard, Bridges and Word.

Memorial Resolutions

S. R. No. 153—By Senator Blanchard: Memorial resolution for Mrs. Mary Richards.

S. R. No. 154—By Senator Blanchard: Memorial resolution for John W. Wilson (amended).

S. R. No. 156—By Senator Brooks: Memorial resolution for Dr. Winfred Ernest Garrison (amended).

S. R. No. 158—By Senator Watson: Memorial resolution for Floyd Mitchell.

S. R. No. 159—By Senator Watson: Memorial resolution for Mrs. Willie Burnett.

S. R. No. 160—By Senator Watson: Memorial resolution for Mrs. Olive Henry.

S. R. No. 161—By Senator Watson: Memorial resolution for Mary Sue Moore.

S. R. No. 168—By Senator Hazlewood: Memorial resolution for Othello Ontje Miller.

S. R. No. 169—By Senator Hazlewood: Memorial resolution for Robert L. Grimes.

Welcome and Congratulatory Resolutions

S. R. No. 155—By Senator Blanchard: Extending congratulations to R. R. (Rip) Davenport for the contributions he has made to the State and the insurance industry.

S. R. No. 157—By Senator Word: Extending welcome to sponsor and students of government class from Southwestern Assemblies of God College in Waxahachie.

S. R. No. 162—By Senator Watson: Extending welcome to Dr. G. V. Brindley of Temple.

S. R. No. 163—By Senator Watson: Extending welcome to Mayor Malcom Loudon of Waco.

S. R. No. 164—By Senator Watson: Extending welcome to Sam Degelia, Sr., et al.

S. R. No. 167—By Senator Herring: Extending welcome to students and teachers of Allison School of Austin.

S. R. No. 170—By Senator Schwartz: Extending welcome to Mrs. Rose Portugal.

Adjournment

On motion of Senator Aikin the Senate at 12:17 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

The Senate of
The State of Texas
Austin

Charles A. Schnabel, Secretary
of the Senate

February 18, 1969.

The Honorable Preston Smith
Governor of Texas
State Capitol
Austin, Texas

Dear Governor Smith:

On January 15, Governor Connally requested advice, consent and confirmation of the Senate for Jack Balagia of Austin, Travis County, as a member of the State Judicial Qualifications Commission.

The Senate is herewith returning the name of Mr. Balagia without acting on his confirmation since we are advised that other disposition has been made of this appointment.

Respectfully yours,

CHARLES A. SCHNABEL,
Secretary of the Senate.

CAS/pb

cc: Senate Journal Clerk
Secretary of State
Nominations Committee

TWENTY-FIRST DAY

(Wednesday, February 19, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 26, Extending congratulations to the Henderson Lions Football Team.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 19, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 30, Inviting the Members of the Supreme Court.

H. C. R. No. 32, Inviting His Excellency, Preston Smith, Governor of Texas, to address the Regular Session of the 61st Legislature in Joint Session at 11:00 a.m., February 20, 1969.

H. C. R. No. 29, Congratulating Lydia Enriqueta Rodriguez.

S. C. R. No. 16, In memory of Arthur DeWitty.

Respectfully submitted,
DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Brooks submitted the following report:

Austin, Texas,
February 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 174, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman

Senator Herring submitted the following reports:

Austin, Texas,
February 18, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Juris-